

City Council Introduction: **Monday**, May 14, 2001
Public Hearing: **Monday**, May 21, 2001, at **5:30 p.m.**

Bill No. 01R-122

FACTSHEET

TITLE: **WAIVER OF DESIGN STANDARDS NO. 01002**, requested by Hartland Homes, to waive the pedestrian-way easement and sidewalks between Lots 17 and 18, Block 3, Hartland Estates, on property generally located at S.W. 14th and West Washington Street (1630 S.W. 14th Street and 1636 S.W. 14th Street).

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 05/02/01
Administrative Action: 05/02/01

RECOMMENDATION: Approval (8-0: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'; Hunter absent).

FINDINGS OF FACT:

1. The Planning staff recommendation to approve the proposed waiver request is based upon the "Analysis" as set forth on p.2.
2. This application was placed on the Consent Agenda of the Planning Commission on May 2, 2001, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 7, 2001

REVIEWED BY: _____

DATE: May 7, 2001

REFERENCE NUMBER: FS\CC\FSW01002

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standard #01002

DATE: May 8, 2001

PROPOSAL: Duane L. Hartman, for Hartland Homes, has requested a waiver of the pedestrian-way easement and sidewalks between lots 17 and 18 Block 3 Hartland Estates.

GENERAL INFORMATION:

APPLICANT: Duane L. Hartman
P.O. Box 22787
Lincoln, NE 68542-2787
(402) 477-6668

CONTACT: Same as above

LOCATION: S.W. 14th and West Washington Street, 1630 S.W. 14th Street and 1636 S.W. 14th Street.

REQUESTED ACTION: Waive pedestrian-way easement and sidewalk requirement.

LEGAL DESCRIPTION: Lots 17 and 18, Block 3, Hartland Estates, located in the NE 1/4 of Sec.33, T10N, R6E.

EXISTING ZONING: R-2 Residential

SIZE: 0.5 acres, more or less

EXISTING LAND USE: Single-family

SURROUNDING LAND AND ZONING: Single-family dwellings.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan specifies this area as Urban Residential and inside the corporate limits.

SPECIFIC INFORMATION:

TRAFFIC ANALYSIS: The pedestrian-way easement and sidewalk would shorten the walking distance between SW 14th Street and SW 13th Street Circle.

ANALYSIS:

1. Section 26.23.125 of the Subdivision Ordinance states that a pedestrian-way is required when a block exceeds 1,000 feet in length. Hartland Estates Preliminary Plat #94015 provided a pedestrian-way easement to fulfill this requirement between S.W. 14th Street and S.W. 13th Street Circle. The pedestrian-way easement was platted in the Hartland Estates Final Plat #95007. However, during the review and approval of Heartland Estates 1st Addition Final Plat #97003 the remaining section of the public-way easement was not required.

The houses are built and occupied, they are closer than ten feet to the proposed pedestrian-way easement, and the easement is not platted in the adjacent subdivision. The Public Works and Utilities and Planning Departments recommend the approval of the waiver of this requirement. If the waiver is approved the bond should be released.

STAFF RECOMMENDATIONS:

Approval

Waive the pedestrian-way easement along the side lot lines between lots 17 & 18, Block 3 Hartland Estates.

Prepared by:

Becky Horner
Planner

WAIVER OF DESIGN STANDARDS NO. 01002

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

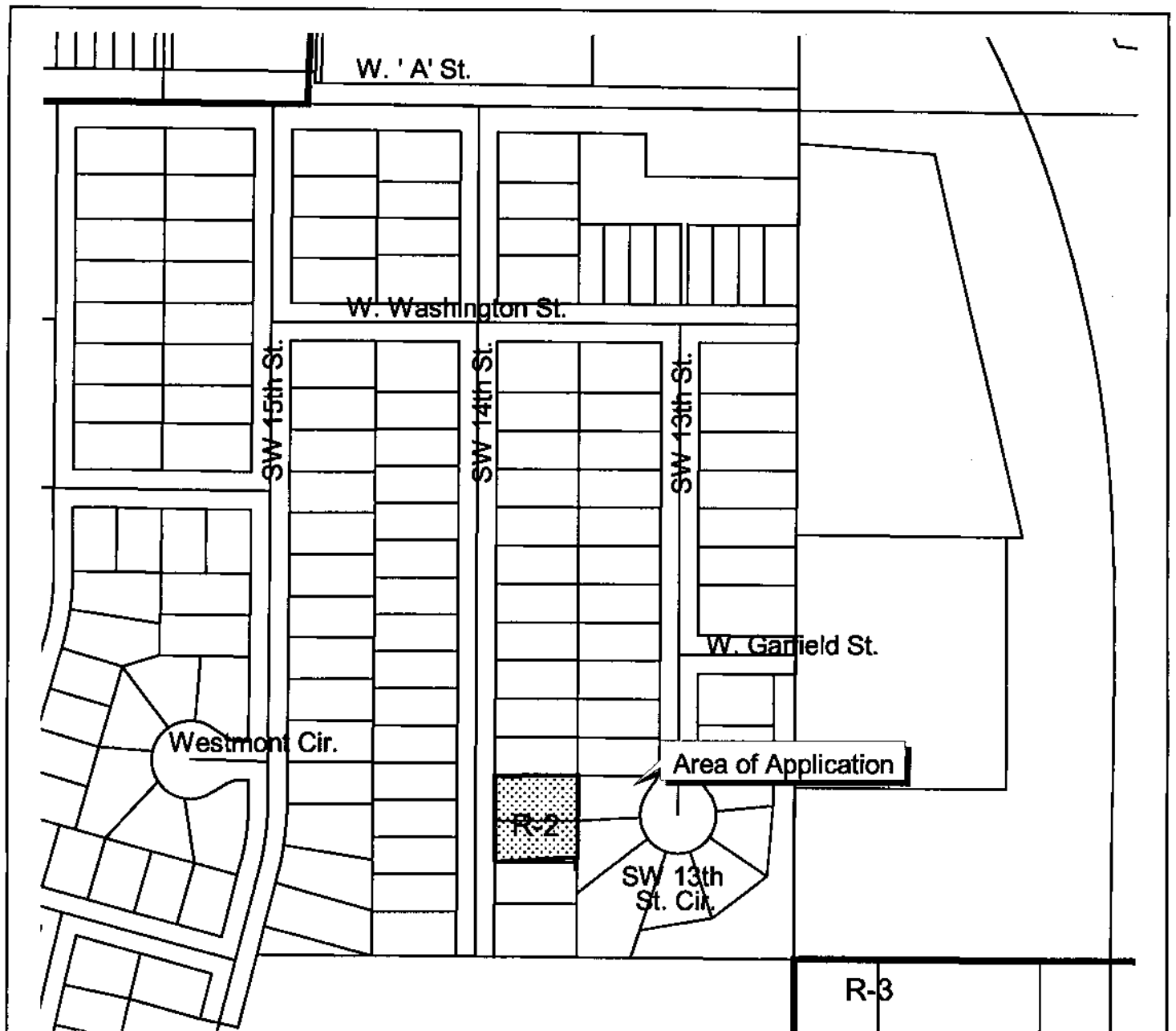
May 2, 2001

Members present: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor; Hunter absent.

The Consent agenda consisted of the following items: **CHANGE OF ZONE NO. 3322, CHANGE OF ZONE NO. 3319, SPECIAL PERMIT NO. 1386B, USE PERMIT NO. 137, SPECIAL PERMIT NO. 1161A, SPECIAL PERMIT NO. 1322F, SPECIAL PERMIT NO. 1887, SPECIAL PERMIT NO. 1906, SPECIAL PERMIT NO. 1912 AND WAIVER OF DESIGN STANDARDS NO. 01002.**

Steward moved to approve the Consent Agenda, seconded by Schwinn and carried 8-0: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'; Hunter absent.

Note: This is final action on Special Permit No. 1161A, Special Permit No. 1322F and Special Permit No. 1906, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



Waiver of Design Standards #01002 SW 13th & W. Washington

Zoning:

| | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

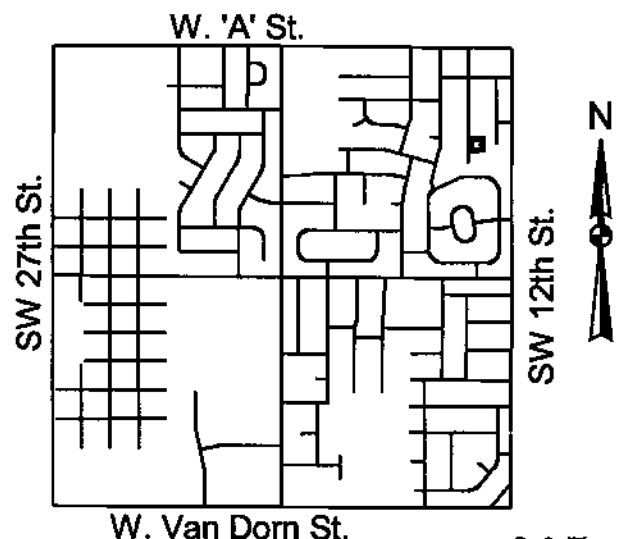
One Square Mile
Sec. 33 T10N R6E



Zoning Jurisdiction Lines



City Limit Jurisdiction



Sheet 1 of 4

Date: 4.19.01

Lincoln City - Lancaster County Planning Dept.

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Waiver of Design Standards #01002
SW 13th & W. Washington



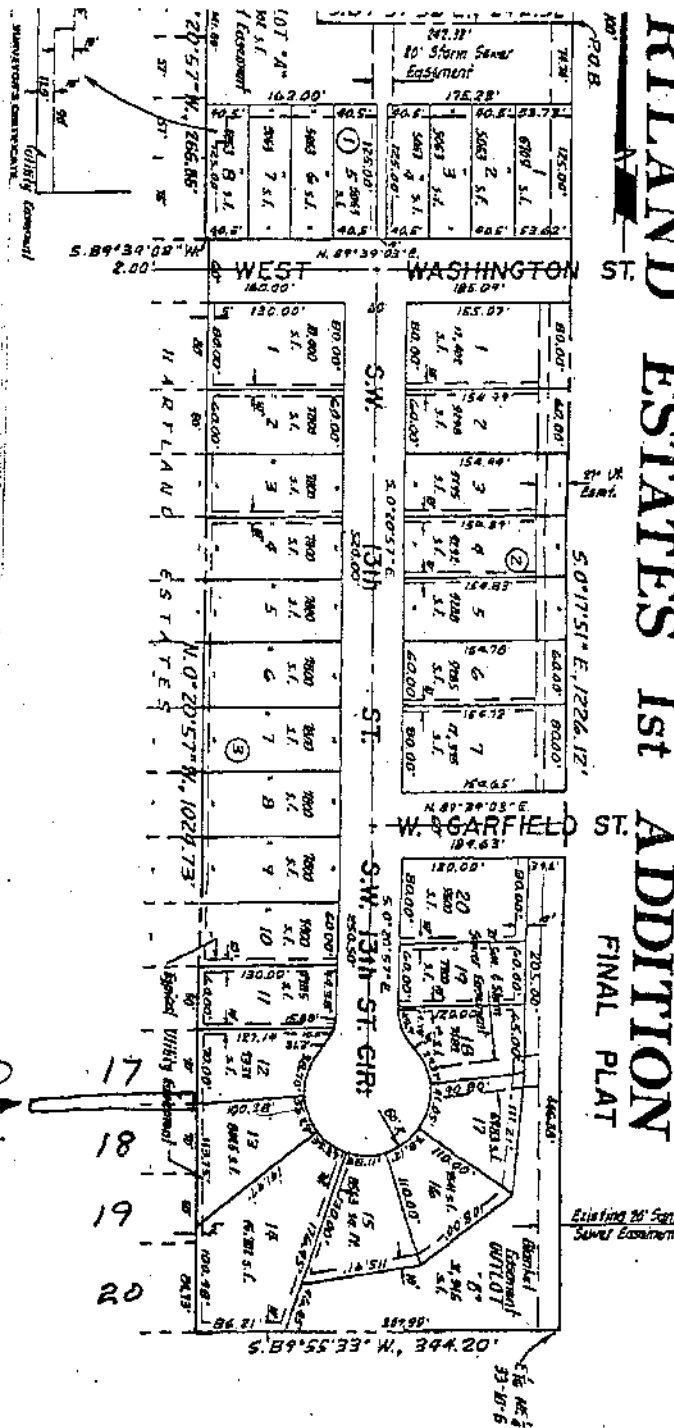
Sheet 2 of 4

Date: 4-19-01

Photograph Date: 1999

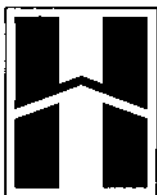
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P.O.B.



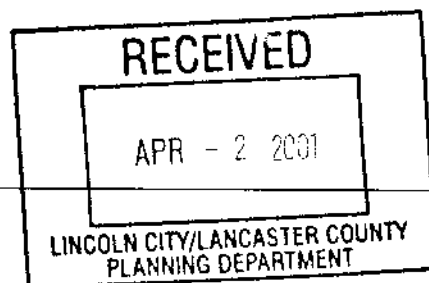
Sheet: 4 of 4
Date: 4-19-01

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**Hartland
Homes**

P.O. Box 22787 · Lincoln, NE 68542-2787
FAX 402-477-6748 · 402-477-6668



March 30, 2001

Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln
555 South 10th Street, Suite 213
Lincoln, NE 68508

RE: Hartland Estates Addition

Dear Kathleen:

At the recommendation of the Public Works and
Utilities Department, I hereby request a waiver of
the requirement for a pedestrian way easement and
sidewalk in the above referenced addition.

Sincerely,

Duane L. Hartman
President
Hartland Homes, Inc.

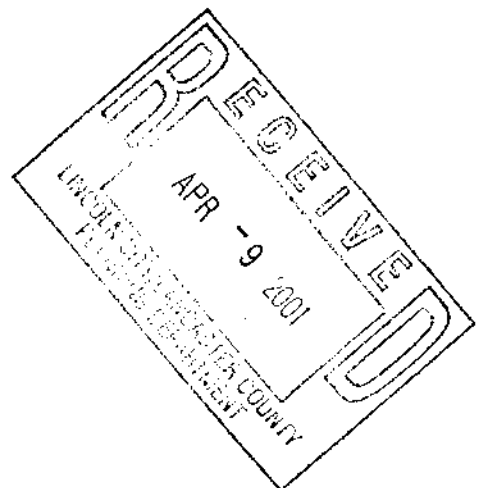
Harry B Kroos

04/09/01 12:56 PM

To: Rebecca D Horner/Notes@Notes
cc: Charles W Baker/Notes@Notes
Subject: Hartland Estates pedestrian walk

The Sidewalk Section recommends approval of the waiver of this requirement and the deletion of the pedestrian easement. There was no provision for the extension of the pedestrian sidewalk in Hartland Estates 1st Addition.

Harry Kroos



MAR 15 2001

Lincoln



Nebraska's Capital City

March 14, 2001

Hartland Homes, Inc.
Attn: Duane Hartman
P.O. Box 22787
Lincoln, NE 68542

Dear Mr. Hartman:

The Public Works & Utilities Department has reviewed the final plat of Hartland Estates. This final plat was approved by Resolution No. PC-00236 in August 1995. The final plat agreement stipulated that a pedestrian sidewalk was to be built between Lots 12 & 13, Block 3. The final plat showed the pedestrian easement between Lots 17 & 18, Block 3. In addition, the adjacent final plat of Hartland Estates 1st Addition did not provide an easement for extension of the sidewalk to SW 13th Street.

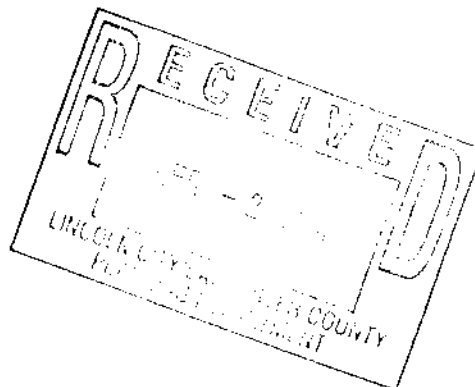
Records indicate that the \$900.00 escrow required for the pedestrian sidewalk has not been released. The final plat requirement for this walk must be amended before we can authorize the release. The Public Works & Utilities Department recommends that Hartland Homes requests a waiver for this pedestrian sidewalk through the Planning Department.

Your attention to this issue is appreciated. If you have any questions, please contact my office at 441-7541.

Sincerely,

Harry Kroos
Engineering Services

cc: Kathleen Sellman
Dennis Bartels
Nina Vejnovich
Nicole Fleck-Tooze



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